

REMARKS

This communication is in response to the Office Action dated August 12, 2010. Claims 1-3 and 6-8 have been amended, no claims have been canceled, and claims 13 and 14 have been added; as such, claims 1-14 are now pending in this application. Claims 1, 6, and 11-14 are independent claims. Reconsideration and allowance is requested in view of the claim amendments and the following remarks. These amendments add no new matter.

Claim Objections

Claims 2 and 3 are objected to because of the grammatical error on the phrase “*one of... are assigned,*” and “a spelling error on the phrase “*assigned to they third.*” Applicant thanks the examiner’s attention to this matter and amended the claims accordingly.

As such, Applicant requests withdrawal of the objection to these claims.

35 USC 112, 2nd Rejections

Claims 1 and 6 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Specifically, Claim 1 and 6 recites “*wherein second and third of the plurality of keys are respectively assigned two paired functions,*” which is unclear to the Examiner. Applicant appreciates the Examiner’s attention in this regards and has amended the claims according to Examiner’s suggestions.

The Applicant thanks the Examiner’s attention in this matter and has amended claims 1, 6 and the respective dependant claims according to the interpretation of the Examiner.

Accordingly, Applicant requests withdrawal of the rejection of claims 1 and 6 under 35 U.S.C. 112, second paragraph.

35 USC § 102 Rejections

Claims 1, 2, 4-7, 9 and 10 have been rejected under 35 U.S.C. § 102(b) as being as being anticipated by Maeda et al. (U.S. Pub. No. 2002/0015598, hereinafter referred to as “Maeda ‘598”).

Applicant respectfully traverses this rejection.

Claim 1 recites:

An electronic device having a display panel and a plurality of keys to which desired functions can be assigned, comprising:

display means for causing display of a plurality of items on the display panel;

means for receiving a selection of a desired item from the plurality of items, after which

the display means causing display of a setting screen corresponding to the selected desired item; and

assigning means for assigning keys using the setting screen.

wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and

wherein second and third of the plurality of keys are respectively assigned to one of a paired function.

Maeda ‘598 fails to disclose, teach or suggest “*assigning means for assigning keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function.*”

The Office Action, however, alleges these features can be found in paragraph [0056-0066] of Maeda ‘598. This is wholly inaccurate.

Maeda '598 relates to an operation device comprising a shortcut key capable of allocating desired functions. Maeda '598 discloses a shortcut key display screen having a shortcut key to which an arbitrary function among a plurality of functions may be allocated thereto is displayable on a display unit. Every function setting screen comprises an allocation instruction key for providing instructions for allocating the function to the shortcut key, and, when the allocation instruction key is selected, a series of functions set before the function setting screen having the allocation instruction key is displayed on the display screen is allocated to the shortcut key.

Paragraph [0056-0066] of Maeda '598 discloses how to allocate and register short cut keys among keys K1-K9. Function and the like are to be allocated to the shortcut keys K1-K9 may be allocated even if they do not appertain to the basic function; that is even when they appertain to the editing function or finishing function. There is no mention of an assigning means for assigning keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function in Maeda '598. The allocations of the individual short cut keys K1-K9 are done separately without regard to a paired function.

Indeed, Maeda '598 does not teach or suggest associating such paired functions with an assignable button. By contrast, Applicant's claimed invention illustrates examples of paired functions. For example, in Fig. 4D, the shake compensation's 'on' and 'off' functions represent paired functions. Similarly, 'edit search +' and 'edit search -' represent paired functions.

The Office Action, nonetheless alleges that the second key, "2 in 1" (Basic 2) of Fig. 9, is assigned to one of a paired function, such as Left Staple, and a third key, for example "4 in 1" (Basic 3) of fig. 9 is assigned to the other of the paired function, such as Right Staple. This analysis of Maeda '598 is inaccurate.

In screen 61, of Figure 4, when the "2 in 1" key B8 is pressed, Maeda '598 switches to a second function setting screen 62 to which are displayed, in addition to the respective keys B7.about.B9, function keys such as the "left staple" key B13, "right staple" key B14, "none" key B15, "straight line" key B16, and "dotted line" key B17. In screen 62, when the "left staple" key

B13 and "dotted line" key B17 are further pressed, it becomes a screen 62' in which the functions keys of "2 in 1" key B8, "left staple" key B13 and "dotted line" key B17 are displayed with the black and white being inverted. Thereafter, when the "close" key B12 is pressed, the setting of detailed functions regarding the "consolidation" function is completed, the screen becomes a screen 6' in which the "consolidation" key B4 in screen 6 is displayed with the black and white being inverted, and, by pressing the start button 2b, the copying operation is performed according to the settings as described in the above.

Clearly, when discussing the Right and Left Staple functionality, Maeda '598 merely discloses predetermined settings of stapling which cannot be confused with Applicants claimed invention of assigning keys using the setting screen, wherein second and third of the plurality of keys are respectively assigned to one of a paired function. As stated previously, Maeda '598 discloses how to allocate and register short cut keys among keys K1-K9 without regard to assigning a paired function to a second and third key.

As such, Maeda '598 fails to teach or suggest various features of independent claim 1. For reasons similar to those regarding claim 1, independent claim 6 is similarly neither disclosed nor suggested by Maeda '598. Dependent claims 2, 4-5, 7, and 9-10 are also neither disclosed nor suggested by Maeda '598, for their incorporation of the distinct features recited in the respective independent claims, as well as for their own separately recited patentably distinct features. For example, claim 2 recites "*wherein when said one of a paired function is assigned, a message prompts a user to assign the other of the paired function,*" and claim 7 recites "*wherein said one of the plurality of keys is assigned to said one of a paired function, and further comprising: prompting a user to assign the other of the paired function when said one of a paired function is assigned to said one of the plurality of keys.*"

Accordingly, Applicant respectfully requests that the rejection of claims 1, 2, 4-7, 9 and 10 under 35 U.S.C. § 102(b) as being anticipated by Maeda '598 be withdrawn.

- **Therefore Maeda '598 fails to disclose all the features of claim 1.**

Claims 3 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maeda '598 in view of Matsumoto (U.S. Pub. No. 2002/0007487, hereinafter referred to as "Matsumoto '487"). Applicant respectfully traverses this rejection.

Claims 3 and 8 depend from and thus incorporate the features of claims 1 and 6 which are neither disclosed nor suggested by Maeda '598, for the reasons stated above.

Matsumoto '487 does not remedy the deficiencies of Maeda '598, as the various features recited above are also absent from Matsumoto '487. For example, Applicant's claimed features of *"assigning means for assigning keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function,"* are neither disclosed nor suggested by Matsumoto '487.

Matsumoto '487 discloses a remote control mechanism for adjusting image quality in an incoming video signal. The device includes a remote control (Fig. 7) capable of assigning menu accessible commands to functional buttons 709-715. Figs. 8-14 illustrate how a user can traverse the available menus and register a given command with the function buttons.

Though Matsumoto '487 discloses a remote control capable of assigning menu accessible commands to functional buttons, there is *no mention* of an assigning means for assigning keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function.

Since even a combination of the relied upon references would still fail to yield the claimed invention, Applicant submits that a prima facie case of obviousness for claims 1 and 6 has not been presented. Applicant also notes that the offered combination appears to be a failed attempt to reconstruct the claimed invention in hindsight, as there is no basis to combine operation device for allocating short cut keys of Maeda '598 with the assignable function keys of Matsumoto '487.

Accordingly, Applicant respectfully requests that the rejection of claims 3 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Maeda '598 in view of Matsumoto '487 be withdrawn.

Claims 11 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maeda '598 in view of Matsumoto '487 and further in view of Takagi et al (U.S. Pub. No. 2002/0112248, hereinafter referred to as "Takagi '248"). Applicant respectfully traverses this rejection.

Claims 11 recites:

A method of assigning desired functions to a plurality of keys, comprising the steps of:

displaying a plurality of items;

receiving a selection of a desired item from the plurality of items;

receiving a selection of a key to which a function is assigned from the plurality of keys;
and

assigning said function to the selected key,

wherein said function is a paired function.

As stated previously, Maeda '598 in view of Matsumoto '487 fails to disclose, teach or suggest "assigning said function to the selected key, wherein said function is a paired function."

Takagi '248 does not remedy the deficiencies of Maeda '598 in view of Matsumoto '487, as the various features recited above are also absent from Takagi '248. For example, Applicant's claimed features of "assigning said function to the selected key, wherein said function is a paired function," are neither disclosed nor suggested by Takagi '248.

Takagi '248 relates to a digital/analog broadcasting receiver having a function to select a user setting which defines the operation mode of this receiver for each of a plurality of users. A user operates an input device beforehand to set his/her own preferential operation mode of a receiver and assigns a desired selection number to the operation mode and then stores it in the memory. In essence, Takagi '248 discloses how an operation mode is selected for each user to make a user setting and stored in a memory in correlation with a predetermined input pattern of an operation key.

Though Takagi '248 can select a user setting and can operate the direction keys to move the cursor and fix it using the ENTER key in order to select his desired operation mode, there is **no mention** of assigning said function to the selected key, wherein said function is a paired function. Indeed, Takagi '248 merely shows the settings of user (0) to user (3) and how to change the operation mode of the individual user settings within the display means. There is no assignment of a paired function in the manner claimed by the Applicant.

The three-way combination thus similarly fails to present a prima facie case of obviousness, as the combination still fails to collectively disclose the features recited in the independent claim 11. For the reasons stated above, claims 12 also are distinct from Maeda '598 and further in view of Matsumoto '487 in view of Takagi '248 (although claims 11 and 12 should be interpreted solely based upon the limitations set forth therein).

Accordingly, Applicant respectfully requests that the rejection of claims 3-4, 8, 10-12, 16, 18 and 20-22 under 35 U.S.C. § 103(a) as being unpatentable over Maeda '598 and further in view of Matsumoto '487 in view of Takagi '248 be withdrawn.

Conclusion

In view of the above amendment and remarks, applicant believes the pending application is in condition for allowance.

This response is believed to be a complete response to the Office Action. However, Applicant reserves the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicant expressly does not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Extensions of time

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

The Commissioner is hereby authorized to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees.

Fees-general authorization

The Commissioner is hereby authorized to charge any deficiency in fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm). If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

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Respectfully submitted,

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